

REMARKS

Claims 52-56, 59, 61-66, 69, and 71-73 are pending in the present application, claims 57-58 and 67-68 have been canceled, and claims 52-54, 56, 61-64, 66, and 71 have been amended, .

Office Action of February 18, 2009

Applicant has carefully reviewed and considered the Office Action of February 18, 2009. Applicant hereby requests entry of this Response and further consideration of the present application in view of the following remarks.

In the Office Action, claims 56 and 66 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, claims 52-59, 61-69, and 71-72 were rejected under 35 U.S.C. §101 for being directed to non-statutory subject matter, claims 52-59, 61-69, and 71-73 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hendricks et al. (U.S. Pat. No. 6,539,548) in view of Knee (U.S. Pat. No. 5,589,892). Applicant respectfully traverses these grounds of rejection and requests reconsideration thereof.

Rejection Under 35 U.S.C. §112, First Paragraph

The Office Action stated that claims 56 and 66 recite "removing said channel from the favorite list after the content has aired, the channel being removed without user intervention," which is allegedly not supported by the specification. Applicant respectfully disagrees.

However, in an effort to move forward the application, claims 56 and 66 have been amended to further clarify the invention. Applicant submits that amendment is fully supported by the specification (page 3, lines 11-14).

Therefore, Applicant respectfully requests the rejection be withdrawn.

Rejection Under 35 U.S.C. §101

Claims 52-59 and 61

The Office Action stated that claims 52-59 and 61 are rejected for being directed to non-statutory subject matter. Applicant respectfully disagrees.

However, claim 52 has been amended to further clarify the claimed invention. Applicant submits that amended 52 is directed to a method that is fully tied to a machine.

Therefore, Applicant respectfully requests rejection to claim 52 and its dependent claims 53-59 and 61 be withdrawn.

Claims 62-69, 71, and 73

The Office Action stated that “a computer readable medium having computer-executable instructions stored thereon for execution on a computer, the computer executable instruction comprising the steps of” does not necessary define structural and functional relationship between computer instructions and computer. Applicant respectfully disagrees.

However, in an effort to move forward the present application, claim 62 has been amended to conform to the Beauregard format. Applicant submits that amended claim 62 is in Beauregard format and fully allowable according to In Re Bilski. Applicant also submits that its dependent claims 63-69, 71, and 73 are also allowable. Therefore, Applicant respectfully requests rejection be withdrawn.

Rejection Under 35 U.S.C. §103(a)

Claim 52

The Office Action stated that Hendricks and Knee et al. disclose every element of claim 52. Applicant respectfully disagrees.

However, in an effort to move forward the present application, claim 52 has been amended to further clarify the claimed invention. Specifically, amended claim 52 includes user specifying an event description that is used to match contents of channels containing such event description. Applicant submits that the amendment is fully supported by the specification (page 12, lines 11-12) and not disclosed by the cited reference, either individually or in combination.

Therefore, Applicant respectfully requests the rejection be withdrawn and amended claim 52 be allowed.

Claim 53

Claim 53 has been amended to further clarify the invention, specifically, amended claim 53 includes creating a favorite list based on the usage habit of a user during a specified time period. Applicant submits that amendment is fully supported by the specification (page 12, lines 16-19) and this feature is not disclosed by the cited reference, either individually or in combination.

Therefore, Applicant respectfully requests the rejection be withdrawn and amended claim 53 be allowed.

Claims 54-56, 59, 61, and 72

Claims 54-56, 59, 61, and 72 depends from amended claim 52 and Applicant submits that they are patentable over cited references for at least reasons stated above with regard to the patentability of amended claim 52.

Claim 62

The Office Action stated that Hendricks and Knee et al. disclose every element of claim 62. Applicant respectfully disagrees.

However, in an effort to move forward the present application, claim 62 has been amended to further clarify the claimed invention. Specifically, amended claim 62 includes user specifying an event description that is used to match contents of channels containing such event description. Applicant submits that the amendment is fully supported by the specification (page 12, lines 11-12) and not disclosed by the cited reference, either individually or in combination.

Therefore, Applicant respectfully requests the rejection be withdrawn and amended claim 62 be allowed.

Claim 63

Claim 63 has been amended to further clarify the invention, specifically, amended claim 63 includes creating a favorite list based on the usage habit of a user during a specified time period. Applicant submits that amendment is fully supported by

the specification (page 12, lines 16-19) and this feature is not disclosed by the cited reference, either individually or in combination.

Therefore, Applicant respectfully requests the rejection be withdrawn and amended claim 63 be allowed.

Claims 64-66, 69, 71, and 73

Claims 64-66, 69, 71, and 73 depends from amended claim 62 and Applicant submits that they are patentable over cited references for at least reasons stated above with regard to the patentability of amended claim 62.

Conclusion

In view of the foregoing remarks, Applicant respectfully submits that Claims 52-56, 59, 61-66, 69, and 71-73 are in condition for allowance and entry of the present amendment and notification to that effect is earnestly requested. If necessary, the Examiner is invited to telephone Applicant's attorney (770-246-2599) to facilitate prosecution of this application.

No additional fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees that may be required, including any necessary extensions of time, which are hereby requested to Deposit Account No. 50-4290.

Respectfully submitted,
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